

FIRST REGULAR SESSION

# SENATE BILL NO. 584

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time February 26, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2089S.021

## AN ACT

To repeal sections 337.600, 337.603, 337.604, 337.606, 337.609, 337.612, 337.615, 337.618, 337.622, 337.624, 337.627, 337.630, 337.636, 337.639, 337.650, 337.653, 337.659, 337.665, 337.668, 337.671, 337.674, 337.677, 337.680, 337.683, 337.686, and 337.689, RSMo, and to enact in lieu thereof seventeen new sections relating to social workers.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 337.600, 337.603, 337.604, 337.606, 337.609, 337.612, 337.615, 337.618, 337.622, 337.624, 337.627, 337.630, 337.636, 337.639, 337.650, 337.653, 337.659, 337.665, 337.668, 337.671, 337.674, 337.677, 337.680, 337.683, 337.686, and 337.689, RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 337.600, 337.603, 337.604, 337.612, 337.615, 337.618, 337.622, 337.627, 337.630, 337.636, 337.643, 337.644, 337.646, 337.647, 337.653, 337.665, and 337.689, to read as follows:

337.600. As used in sections 337.600 to 337.689, the following terms mean:

(1) "Advanced macro social work", the applications of social work theory, knowledge, methods, principles, values, and ethics and the professional use of self to community and organizational systems, including systemic and macrocosm issues, and other indirect, nonclinical services, specialized knowledge and advanced practice skills in the case management, information and referral, nonclinical assessments, counseling, outcome evaluation, mediation, nonclinical supervision, nonclinical consultation, expert testimony, education, outcome evaluation, research, advocacy, social planning and policy

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 **development, community organization, and the development,**  
13 **implementation and administration of policies, programs, and**  
14 **activities. A licensed advanced master social worker may not diagnose**  
15 **a mental disorder, treat mental or emotional disorders, or provide**  
16 **psychotherapy without the direct supervision of a licensed clinical**  
17 **social worker;**

18       **(2) "Clinical social work", the application of knowledge, values,**  
19 **methods, principles, and techniques of case work, social work theory, group**  
20 **work, client-centered advocacy, [community organization,] administration,**  
21 **[planning, evaluation,] consultation, research, psychotherapy and counseling**  
22 **methods and techniques to persons, families and groups in assessment, diagnosis,**  
23 **treatment, prevention and amelioration of mental and emotional conditions;**

24       **[(2)] (3) "Committee", the state committee for social work**  
25 **established under section 337.622;**

26       **(4) "Department", the Missouri department of economic development;**

27       **[(3)] (5) "Director", the director of the division of professional registration**  
28 **in the department of economic development;**

29       **[(4)] (6) "Division", the division of professional registration;**

30       **[(5)] (7) "Independent practice", any practice of social workers outside of**  
31 **an organized setting such as a social, medical, or governmental agency in which**  
32 **a social worker assumes responsibility and accountability for services required;**

33       **[(6)] (8) "Licensed advanced macro social worker", any person**  
34 **who offers to render services to individuals, groups, families, couples,**  
35 **organizations, institutions, communities, government agencies,**  
36 **corporations, or the general public for a fee, monetary or otherwise,**  
37 **implying that the person is trained, experienced, and licensed as an**  
38 **advanced macro social worker, and who holds a current valid license**  
39 **to practice as an advanced macro social worker.**

40       **(9) "Licensed baccalaureate social worker", any person who offers**  
41 **to render services to individuals, groups, organizations, institutions,**  
42 **corporations, government agencies, or the general public for a fee,**  
43 **monetary or otherwise, implying that the person is trained,**  
44 **experienced, and licensed as a baccalaureate social worker, and who**  
45 **holds a current valid license to practice as a baccalaureate social**  
46 **worker;**

47       **(10) "Licensed clinical social worker", any person who offers to render**

48 services to individuals, groups, organizations, institutions, corporations,  
49 government agencies or the general public for a fee, monetary or otherwise,  
50 implying that the person is trained, experienced, and licensed as a clinical social  
51 worker, and who holds a current, valid license to practice as a clinical social  
52 worker;

53 **[(7)] (11) "Licensed master social worker", any person who offers**  
54 **to render services to individuals, groups, families, couples,**  
55 **organizations, institutions, communities, government agencies,**  
56 **corporations, or the general public for a fee, monetary or otherwise,**  
57 **implying that the person is trained, experienced, and licensed as a**  
58 **master social worker, and who holds a current valid license to practice**  
59 **as a master social worker. A licensed master social worker may not**  
60 **diagnose mental disorders, treat mental or emotional disorders, or**  
61 **provide psychotherapy without the direct supervision of a licensed**  
62 **clinical social worker, or diagnose a mental disorder;**

63 **(12) "Master social work", the application of social work theory,**  
64 **knowledge, methods, and ethics and the professional use of self to**  
65 **restore or enhance social, psychosocial, or biopsychosocial functioning**  
66 **of individuals, couples, families, groups, organizations, communities,**  
67 **institutions, government agencies, or corporations. The practice**  
68 **includes the applications of specialized knowledge and advanced**  
69 **practice skills in the areas of assessment, treatment planning,**  
70 **implementation and evaluation, case management, information and**  
71 **referral, counseling, mediation, client education, supervision,**  
72 **consultation, education, research, advocacy, community organization**  
73 **and development, planning, evaluation, implementation and**  
74 **administration of policies, programs, and activities. Under supervision**  
75 **as provided in sections 337.600 to 337.689, the practice of master social**  
76 **work may include the practices reserved to clinical social workers or**  
77 **advanced master social workers;**

78 **(13) "Practice of advanced macro social work", rendering,**  
79 **offering to render, or supervising those who render to individuals,**  
80 **couples, families, groups, organizations, institutions, corporations,**  
81 **government agencies, communities, or the general public any service**  
82 **involving the application of methods, principles, and techniques of**  
83 **advanced master social work;**

84 **(14) "Practice of baccalaureate social work", rendering, offering**

85 **to render, or supervising those who render to individuals, families,**  
86 **groups, organizations, institutions, corporations, or the general public**  
87 **any service involving the application of methods, principles, and**  
88 **techniques of baccalaureate social work;**

89 **(15) "Practice of clinical social work", rendering, offering to render, or**  
90 **supervising those who render to individuals, couples, groups, organizations,**  
91 **institutions, corporations, or the general public any service involving the**  
92 **application of methods, principles, and techniques of clinical social work;**

93 **[(8)] (16) "Practice of master social work", rendering, offering to**  
94 **render, or supervising those who render to individuals, couples,**  
95 **families, groups, organizations, institutions, corporations, government**  
96 **agencies, communities, or the general public any service involving the**  
97 **application of methods, principles, and techniques of master social**  
98 **work;**

99 **(17) "Provisional licensed clinical social worker", any person who is a**  
100 **graduate of an accredited school of social work and meets all requirements of a**  
101 **licensed clinical social worker, other than the supervised clinical social work**  
102 **experience prescribed by subdivision (2) of subsection 1 of section 337.615, and**  
103 **who is supervised by a person who is qualified to practice clinical social work, as**  
104 **defined by rule;**

105 **[(9)] (18) "Qualified advanced macro supervisor", any licensed**  
106 **social worker who meets the qualifications of a qualified clinical**  
107 **supervisor or a licensed advanced macro social worker who has:**

108 **(a) Practiced in the field, for which he or she is supervising the**  
109 **applicant, uninterrupted a minimum of five years;**

110 **(b) Successfully completed a minimum of sixteen hours of**  
111 **supervisory training from the association of social work boards, the**  
112 **national association of social workers, an accredited university, or a**  
113 **program approved by the committee; and**

114 **(c) Met all the requirements as defined in rule by the committee;**

115 **(19) "Qualified baccalaureate supervisor", any licensed social**  
116 **worker who meets the qualifications of a qualified clinical supervisor,**  
117 **qualified master supervisor, or a licensed baccalaureate social worker**  
118 **who has:**

119 **(a) Practiced in the field, for which he or she is supervising the**  
120 **applicant, uninterrupted for a minimum of five years;**

121 **(b) Successfully completed a minimum of sixteen hours of**

122 **supervisory training from the association of social work boards, the**  
123 **national association of social workers, an accredited university, or a**  
124 **program approved by the committee; and**

125 **(c) Met all the requirements as defined in rule by the committee;**

126 **(20) "Qualified clinical supervisor", a licensed clinical social**  
127 **worker who has:**

128 **(a) Practiced in the field, in which he or she is supervising an**  
129 **applicant, uninterrupted since August 28, 2004, or for a minimum of**  
130 **five years;**

131 **(b) Has successfully completed a minimum of sixteen hours of**  
132 **supervisory training from the association of social work boards, the**  
133 **national association of social workers, an accredited university, or a**  
134 **program approved by the committee; and**

135 **(c) Met all the requirements as set forth in sections 337.600 to**  
136 **337.642 and as defined in rule by the committee;**

137 **(21) "Social worker", any individual that has:**

138 **(a) Received a baccalaureate or master's degree in social work from an**  
139 **accredited social work program approved by the council on social work education;**

140 **(b) Received a doctorate or Ph.D. in social work; or**

141 **(c) A current [baccalaureate or clinical] social worker license as set forth**  
142 **in sections 337.600 to 337.689.**

337.603. No person shall use the title of "licensed clinical social worker",  
2 "clinical social worker" or "provisional licensed clinical social worker" [and] or  
3 engage in the practice of clinical social work in this state unless the person is  
4 licensed as required by the provisions of sections 337.600 to [337.639]  
5 **337.689**. Only individuals who are licensed clinical social workers shall practice  
6 clinical social work. Sections 337.600 to [337.639] **337.689** shall not apply to:

7 **(1) Any person registered, certificated, or licensed by this state, another**  
8 **state, or any recognized national certification agent acceptable to the committee**  
9 **to practice any other occupation or profession while rendering services similar in**  
10 **nature to clinical social work in the performance of the occupation or profession**  
11 **which the person is registered, certificated, or licensed; and**

12 **(2) The practice of any social worker who is employed by any agency or**  
13 **department of the state of Missouri while discharging the person's duties in that**  
14 **capacity.**

337.604. 1. No person shall hold himself or herself out to be a "social

2 worker" unless such person has:

3 (1) Received a baccalaureate or master's degree in social work from an  
4 accredited social work program approved by the council on social work education;

5 (2) Received a doctorate or Ph.D. in social work; or

6 (3) A current [baccalaureate or clinical] social worker license as set forth  
7 in sections 337.600 to 337.689.

8 2. No government entities, public or private agencies or organizations in  
9 the state shall use the title "social worker" or any form of the title for volunteer  
10 or employment positions or within contracts for services, documents, manuals, or  
11 reference material effective January 1, 2004, unless the volunteers or employees  
12 in those positions meet the criteria set forth in subdivision (8) of section 337.600  
13 or subsection 1 of this section.

337.612. 1. Applications for licensure as a clinical social worker,  
2 **baccalaureate social worker, advanced macro social worker, or master**  
3 **social worker** shall be in writing, submitted to the committee on forms  
4 prescribed by the committee and furnished to the applicant. The application shall  
5 contain the applicant's statements showing the applicant's education, experience,  
6 and such other information as the committee may require. Each application shall  
7 contain a statement that it is made under oath or affirmation and that the  
8 information contained therein is true and correct to the best knowledge and belief  
9 of the applicant, subject to the penalties provided for the making of a false  
10 affidavit or declaration. Each application shall be accompanied by the fees  
11 required by the committee.

12 2. The committee shall mail a renewal notice to the last known address  
13 of each licensee prior to the licensure renewal date. Failure to provide the  
14 committee with the information required for licensure, or to pay the licensure fee  
15 after such notice shall effect a revocation of the license after a period of sixty days  
16 from the licensure renewal date. The license shall be restored if, within two  
17 years of the licensure date, the applicant provides written application and the  
18 payment of the licensure fee and a delinquency fee.

19 3. A new certificate to replace any certificate lost, destroyed or mutilated  
20 may be issued subject to the rules of the committee, upon payment of a fee.

21 4. The committee shall set the amount of the fees which sections 337.600  
22 to [337.639] **337.689** authorize and require by rules and regulations promulgated  
23 pursuant to section 536.021, RSMo. The fees shall be set at a level to produce  
24 revenue which shall not substantially exceed the cost and expense of

25 administering the provisions of sections 337.600 to [337.639] **337.689**. All fees  
26 provided for in sections 337.600 to [337.639] **337.689** shall be collected by the  
27 director who shall deposit the same with the state treasurer in a fund to be  
28 known as the "[Clinical] **Licensed** Social Workers Fund".

29 5. The provisions of section 33.080, RSMo, to the contrary  
30 notwithstanding, money in this fund shall not be transferred and placed to the  
31 credit of general revenue until the amount in the fund at the end of the biennium  
32 exceeds two times the amount of the appropriations from the [clinical] **licensed**  
33 social workers fund for the preceding fiscal year or, if the committee requires by  
34 rule renewal less frequently than yearly, then three times the appropriation from  
35 the committee's fund for the preceding fiscal year. The amount, if any, in the  
36 fund which shall lapse is that amount in the fund which exceeds the appropriate  
37 multiple of the appropriations from the [clinical] **licensed** social workers fund  
38 for the preceding fiscal year.

337.615. 1. Each applicant for licensure as a clinical social worker shall  
2 furnish evidence to the committee that:

3 (1) The applicant has a master's degree from a college or university  
4 program of social work accredited by the council of social work education or a  
5 doctorate degree from a school of social work acceptable to the committee;

6 (2) The applicant has completed three thousand hours of supervised  
7 clinical experience with a [licensed clinical social worker acceptable to the  
8 committee, as defined by rule,] **qualified clinical supervisor as defined in**  
9 **section 337.600** in no less than twenty-four months and no more than forty-eight  
10 consecutive calendar months;

11 (3) The applicant has achieved a passing score, as defined by the  
12 committee, on an examination approved by the committee. The eligibility  
13 requirements for such examination shall be promulgated by rule of the committee;

14 (4) The applicant is at least eighteen years of age, is of good moral  
15 character, is a United States citizen or has status as a legal resident alien, and  
16 has not been convicted of a felony during the ten years immediately prior to  
17 application for licensure.

18 2. Any person holding a current license, certificate of registration, or  
19 permit from another state or territory of the United States or the District of  
20 Columbia to practice clinical social work who has had no disciplinary action taken  
21 against the license, certificate of registration, or permit for the preceding five  
22 years may be granted a license to practice clinical social work in this state if the

23 person meets one of the following criteria:

24 (1) Has received a masters or doctoral degree from a college or university  
25 program of social work accredited by the council of social work education and has  
26 been licensed to practice clinical social work for the preceding five years; or

27 (2) Is currently licensed or certified as a clinical social worker in another  
28 state, territory of the United States, or the District of Columbia having  
29 substantially the same requirements as this state for clinical social workers.

30 3. The committee shall issue a license to each person who files an  
31 application and fee as required by the provisions of sections 337.600 to [337.639]  
32 **337.689** and who furnishes evidence satisfactory to the committee that the  
33 applicant has complied with the provisions of subdivisions (1) to (4) of subsection  
34 1 of this section or with the provisions of subsection 2 of this section. The  
35 committee shall issue a provisional clinical social worker license to any applicant  
36 who meets all requirements of subdivisions (1), (3) and (4) of subsection 1 of this  
37 section, but who has not completed the twenty-four months of supervised clinical  
38 experience required by subdivision (2) of subsection 1 of this section, and such  
39 applicant may reapply for licensure as a clinical social worker upon completion  
40 of the twenty-four months of supervised clinical experience.

337.618. Each license issued pursuant to the provisions of sections  
2 337.600 to [337.639] **337.689** shall expire on a renewal date established by the  
3 director. The term of licensure shall be twenty-four months. The committee shall  
4 require a minimum number of thirty clock hours of continuing education,  
5 **including a minimum of three hours in the subject of ethics presented**  
6 **by a social worker and a minimum of two hours in the subject of the**  
7 **statutory and regulatory requirements for licensure under sections**  
8 **337.600 to 337.689**, for renewal of a license issued pursuant to sections 337.600  
9 to [337.639] **337.689**. The committee shall renew any license, other than a  
10 provisional license, upon application for a renewal, completion of the required  
11 continuing education hours and upon payment of the fee established by the  
12 committee pursuant to the provisions of section 337.612. As provided by rule, the  
13 board may waive or extend the time requirements for completion of continuing  
14 education for reasons related to health, military service, foreign residency, or for  
15 other good cause. All requests for waivers or extensions of time shall be made in  
16 writing and submitted to the board before the renewal date.

337.622. 1. There is hereby established the "State Committee for Social  
2 Workers", which shall guide, advise, and make recommendations to the division

3 and fulfill other responsibilities designated by sections 337.600 to 337.649 and  
4 sections 337.650 to 337.689. The committee shall approve any examination  
5 required by sections 337.600 to 337.649 and sections 337.650 to 337.689 and shall  
6 assist the division in carrying out the provisions of sections 337.600 to 337.649  
7 and sections 337.650 to 337.689.

8           2. The committee shall consist of nine members, including a public  
9 member appointed by the governor with the advice and consent of the  
10 senate. Each member of the committee shall be a citizen of the United States and  
11 a resident of this state. The committee shall consist of [~~six~~] **three** licensed  
12 clinical social workers, **one licensed master social worker, two licensed**  
13 **advanced macro social workers**, two licensed baccalaureate social workers  
14 and one voting public member. At least two committee members shall be involved  
15 in the private practice of clinical social work. [Any person who is a member of  
16 any clinical social worker advisory committee appointed by the director of the  
17 division of professional registration shall be eligible for appointment to the state  
18 committee for social work on August 28, 1997.] The governor shall endeavor to  
19 appoint members from different geographic regions of the state and with regard  
20 to the pattern of distribution of social workers in the state. The term of office for  
21 committee members shall be four years and no committee member shall serve  
22 more than ten years. [Of the members first appointed, the governor shall appoint  
23 three members, one of whom shall be the public member, whose terms shall be  
24 four years; three members whose terms shall be three years; two members whose  
25 terms shall be two years; and one member whose term shall be one year.] **In**  
26 **order to comply with the addition of a licensed master social worker**  
27 **and licensed advanced macro social workers on the committee, the**  
28 **governor shall appoint the first three vacancies created by expiring**  
29 **terms of licensed clinical social workers with one qualified licensed**  
30 **master social worker and two licensed advanced macro social**  
31 **workers.** The president of the National Association of Social Workers Missouri  
32 Chapter in office at the time shall, at least ninety days prior to the expiration of  
33 a term of a member of a clinical social worker, **advanced macro social**  
34 **worker, master social worker**, or baccalaureate social worker committee  
35 member or as soon as feasible after a vacancy on the committee otherwise occurs,  
36 submit to the director of the division of professional registration a list of five  
37 [clinical] social workers qualified [or five baccalaureate social workers] and  
38 willing to fill the vacancy in question, with the request and recommendation that

39 the governor appoint one of the five persons in each category so listed, and with  
40 the list so submitted, the president of the National Association of Social Workers  
41 Missouri Chapter shall include in his or her letter of transmittal a description of  
42 the method by which the names were chosen by that association.

43 3. A vacancy in the office of a member shall be filled by appointment by  
44 the governor for the remainder of the unexpired term.

45 4. Notwithstanding any other provision of law to the contrary, any  
46 appointed member of the committee shall receive as compensation an amount  
47 established by the director of the division of professional registration not to  
48 exceed seventy dollars per day for committee business plus each member of the  
49 committee shall be reimbursed for necessary and actual expenses incurred in the  
50 performance of the member's official duties. The director of the division of  
51 professional registration shall establish by rule guidelines for payment. All staff  
52 for the committee shall be provided by the division.

53 5. The committee shall hold an annual meeting at which it shall elect  
54 from its membership a chairperson and a secretary. The committee may hold  
55 such additional meetings as may be required in the performance of its duties,  
56 provided that notice of every meeting must be given to each member at least  
57 three days prior to the date of the meeting. A quorum of the board shall consist  
58 of a majority of its members.

59 6. The governor may remove a committee member for misconduct,  
60 incompetency or neglect of the member's official duties after giving the committee  
61 member written notice of the charges against such member and an opportunity  
62 to be heard thereon.

63 7. The public member shall be at the time of such member's appointment  
64 a citizen of the United States; a resident of this state for a period of one year and  
65 a registered voter; a person who is not and never was a member of any profession  
66 licensed or regulated pursuant to sections 337.600 to 337.649 or sections 337.650  
67 to 337.689, or the spouse of such person; and a person who does not have and  
68 never has had a material, financial interest in either the providing of the  
69 professional services regulated by sections 337.600 to 337.649 or sections 337.650  
70 to 337.689, or an activity or organization directly related to any profession  
71 licensed or regulated pursuant to sections 337.600 to 337.649. The duties of the  
72 public member shall not include the determination of the technical requirements  
73 to be met for licensure or whether any person meets such technical requirements  
74 or of the technical competence or technical judgment of a licensee or a candidate

75 for licensure.

337.627. 1. The committee shall promulgate rules and regulations  
2 pertaining to:

3 (1) The form and content of license applications required by the provisions  
4 of sections 337.600 to [337.639] **337.689** and the procedures for filing an  
5 application for an initial or renewal license in this state;

6 (2) Fees required by the provisions of sections 337.600 to [337.639]  
7 **337.689**;

8 (3) The characteristics of "supervised clinical experience" [as that term is  
9 used in section 337.615], **"supervised master experience", and "supervised**  
10 **baccalaureate experience"**;

11 (4) The standards and methods to be used in assessing competency as a  
12 licensed clinical social worker, **licensed master social worker, licensed**  
13 **advanced macro social worker, and licensed baccalaureate social**  
14 **worker, including the requirement for continuing education hours**;

15 (5) Establishment and promulgation of procedures for investigating,  
16 hearing and determining grievances and violations occurring pursuant to the  
17 provisions of sections 337.600 to [337.639] **337.689**;

18 (6) Development of an appeal procedure for the review of decisions and  
19 rules of administrative agencies existing pursuant to the constitution or laws of  
20 this state;

21 (7) Establishment of a policy and procedure for reciprocity with other  
22 states, including states which do not have clinical, **advanced macro master,**  
23 **or baccalaureate** social worker licensing laws or states whose licensing laws  
24 are not substantially the same as those of this state; and

25 (8) Any other policies or procedures necessary to the fulfillment of the  
26 requirements of sections 337.600 to [337.639] **337.689**.

27 2. [No rule or portion of a rule promulgated pursuant to the authority of  
28 sections 337.600 to 337.639 shall become effective unless it has been promulgated  
29 pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of**  
30 **a rule, as that term is defined in section 536.010, RSMo, that is created**  
31 **under the authority delegated in sections 337.600 to 337.689 shall**  
32 **become effective only if it complies with and is subject to all of the**  
33 **provisions of chapter 536, RSMo, and, if applicable, section 536.028,**  
34 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any**  
35 **of the powers vested with the general assembly under chapter 536,**

36 **RSMo, to review, to delay the effective date, or disapprove and annul**  
37 **a rule are subsequently held unconstitutional, then the grant of**  
38 **rulemaking authority and any rule proposed or adopted after August**  
39 **28, 2007, shall be invalid and void.**

337.630. 1. The committee may refuse to issue or renew any license  
2 required by the provisions of sections 337.600 to [337.639] **337.689** for one or any  
3 combination of causes stated in subsection 2 of this section. The committee shall  
4 notify the applicant in writing of the reasons for the refusal and shall advise the  
5 applicant of the applicant's right to file a complaint with the administrative  
6 hearing commission as provided by chapter 621, RSMo.

7 2. The committee may cause a complaint to be filed with the  
8 administrative hearing commission as provided by chapter 621, RSMo, against  
9 any holder of any license required by sections 337.600 to [337.639] **337.689** or  
10 any person who has failed to renew or has surrendered the person's license for  
11 any one or any combination of the following causes:

12 (1) Use of any controlled substance, as defined in chapter 195, RSMo, or  
13 alcoholic beverage to an extent that such use impairs a person's ability to engage  
14 in the occupation of clinical social work; except that the fact that a person has  
15 undergone treatment for past substance or alcohol abuse and/or has participated  
16 in a recovery program, shall not by itself be cause for refusal to issue or renew  
17 a license;

18 (2) The person has been finally adjudicated and found guilty, or entered  
19 a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws  
20 of any state or of the United States, for any offense reasonably related to the  
21 qualifications, functions or duties of a clinical social worker; for any offense an  
22 essential element of which is fraud, dishonesty or an act of violence; or for any  
23 offense involving moral turpitude, whether or not sentence is imposed;

24 (3) Use of fraud, deception, misrepresentation or bribery in securing any  
25 license issued pursuant to the provisions of sections 337.600 to [337.639] **337.689**  
26 or in obtaining permission to take any examination given or required pursuant  
27 to the provisions of sections 337.600 to [337.639] **337.689**;

28 (4) Obtaining or attempting to obtain any fee, charge, tuition or other  
29 compensation by fraud, deception or misrepresentation;

30 (5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in  
31 the performance of the functions or duties of a clinical, **master, advanced**  
32 **macro, or baccalaureate** social worker;

33 (6) Violation of, or assisting or enabling any person to violate, any  
34 provision of sections 337.600 to [337.639] **337.689**, or of any lawful rule or  
35 regulation adopted pursuant to sections 337.600 to [337.639] **337.689**;

36 (7) Impersonation of any person holding a license or allowing any person  
37 to use the person's license or diploma from any school;

38 (8) Revocation or suspension of a license or other right to practice clinical,  
39 **master, advanced macro, or baccalaureate** social work granted by another  
40 state, territory, federal agency or country upon grounds for which revocation or  
41 suspension is authorized in this state;

42 (9) Final adjudication as incapacitated by a court of competent  
43 jurisdiction;

44 (10) Assisting or enabling any person to practice or offer to practice  
45 clinical, **master, advanced macro, or baccalaureate** social work who is not  
46 licensed and currently eligible to practice pursuant to the provisions of sections  
47 337.600 to [337.639] **337.689**;

48 (11) Obtaining a license based upon a material mistake of fact;

49 (12) Failure to display a valid license if so required by sections 337.600  
50 to [337.639] **337.689** or any rule promulgated hereunder;

51 (13) Violation of any professional trust or confidence;

52 (14) Use of any advertisement or solicitation which is false, misleading or  
53 deceptive to the general public or persons to whom the advertisement or  
54 solicitation is primarily directed;

55 (15) Being guilty of unethical conduct [as defined in the ethical standards  
56 for clinical social workers adopted by the committee by rule and filed with the  
57 secretary of state] **as defined by the code of ethics of the national**  
58 **association of social workers or its successor organization.**

59 3. Any person, organization, association or corporation who reports or  
60 provides information to the committee pursuant to the provisions of sections  
61 337.600 to [337.639] **337.689** and who does so in good faith shall not be subject  
62 to an action for civil damages as a result thereof.

63 4. After the filing of such complaint, the proceedings shall be conducted  
64 in accordance with the provisions of chapter 621, RSMo. Upon a finding by the  
65 administrative hearing commission that the grounds, provided in subsection 2 of  
66 this section, for disciplinary action are met, the committee may censure or place  
67 the person named in the complaint on probation on such terms and conditions as  
68 the committee deems appropriate for a period not to exceed five years, or may

69 suspend, for a period not to exceed three years, or revoke the license.

337.636. Persons licensed under the provisions of sections 337.600 to  
2 [337.639] **337.689** may not disclose any information acquired from persons  
3 consulting them in their professional capacity, or be compelled to disclose such  
4 information except:

5 (1) With the written consent of the client, or in the case of the client's  
6 death or disability, the client's personal representative or other person authorized  
7 to sue, or the beneficiary of an insurance policy on the client's life, health or  
8 physical condition;

9 (2) When such information pertains to a criminal act;

10 (3) When the person is a child under the age of eighteen years and the  
11 information acquired by the licensee indicated that the child was the victim of a  
12 crime;

13 (4) When the person waives the privilege by bringing charges against the  
14 licensee;

15 (5) When the licensee is called upon to testify in any court or  
16 administrative hearings concerning matters of adoption, adult abuse, child abuse,  
17 child neglect, or other matters pertaining to the welfare of clients of the licensee;  
18 or

19 (6) When the licensee is collaborating or consulting with professional  
20 colleagues or an administrative superior on behalf of the client.

**337.643. 1. No person shall use the title of "licensed master social  
2 worker" and engage in the practice of master social work in this state  
3 unless the person is licensed as required by the provisions of sections  
4 337.643 to 337.645.**

5 **2. A licensed master social worker shall be deemed qualified to  
6 practice the applications of social work theory, knowledge, methods  
7 and ethics and the professional use of self to restore or enhance social,  
8 psychosocial, or biopsychosocial functioning of individuals, couples,  
9 families, groups, organizations, and communities. Master social work  
10 practice includes the applications of specialized knowledge and  
11 advanced practice skills in the areas of assessment, treatment planning,  
12 implementation and evaluation, case management, information and  
13 referral, counseling, supervision, consultation, education, research,  
14 advocacy, community organization and the development,  
15 implementation, and administration of policies, programs, and**

16 activities. Under supervision as provided in sections 337.600 to 337.689,  
17 the practice of master social work may include the practices reserved  
18 to clinical social workers.

337.644. 1. Each applicant for licensure as a master social  
2 worker shall furnish evidence to the committee that:

3 (1) The applicant has a master or doctorate degree in social work  
4 from an accredited social work degree program approved by the  
5 council of social work education;

6 (2) The applicant has achieved a passing score, as defined by the  
7 committee, on an examination approved by the committee. The  
8 eligibility requirements for such examination shall be determined by  
9 the committee;

10 (3) The applicant is at least eighteen years of age, is of good  
11 moral character, is a United States citizen or has status as a legal  
12 resident alien, and has not been convicted of a felony during the ten  
13 years immediately prior to application for licensure;

14 (4) The applicant has submitted a written application on forms  
15 prescribed by the state board; and

16 (5) The applicant has submitted the required licensing fee, as  
17 determined by the division.

18 2. Any applicant who answers in the affirmative to any question  
19 on the application that relates to possible grounds for denial of  
20 licensure under section 337.630 shall submit a sworn affidavit setting  
21 forth in detail the facts which explain such answer and copies of  
22 appropriate documents related to such answer.

23 3. Any person holding a valid unrevoked and unexpired license,  
24 certificate, or registration from another state or territory of the United  
25 States having substantially the same requirements as this state for  
26 master social workers may be granted a license to engage in the  
27 person's occupation in this state upon application to the committee  
28 accompanied by the appropriate fee as established by the committee  
29 under section 337.662.

30 4. The committee shall issue a license to each person who files  
31 an application and fee as required by the provisions of sections 337.600  
32 to 337.689 and who furnishes evidence satisfactory to the committee  
33 that the applicant has complied with the provisions of subsection 1 of  
34 this section or with the provisions of subsection 3 of this section. The

35 license shall refer to the individual as a licensed master social worker  
36 and shall recognize that individual's right to practice licensed master  
37 social work as defined in section 337.600.

337.646. 1. Each applicant for licensure as an advanced macro  
2 social worker shall furnish evidence to the committee that:

3 (1) The applicant has a master's degree from a college or  
4 university program of social work accredited by the council of social  
5 work education or a doctorate degree from a school of social work  
6 acceptable to the committee;

7 (2) The applicant has completed three thousand hours of  
8 supervised clinical experience with a qualified macro supervisor as  
9 defined in section 337.600 in no less than twenty-four months and no  
10 more than forty-eight consecutive calendar months;

11 (3) The applicant has achieved a passing score, as defined by the  
12 committee, on an examination approved by the committee. The  
13 eligibility requirements for such examination shall be promulgated by  
14 rule of the committee; and

15 (4) The applicant is at least eighteen years of age, is of good  
16 moral character, is a United States citizen, or has status as a legal  
17 resident alien, and has not been convicted of a felony during the ten  
18 years immediately prior to application for licensure.

19 2. Any person holding a current license, certificate of  
20 registration, or permit from another state or territory of the United  
21 States or the District of Columbia to practice advanced macro social  
22 work who has had no disciplinary action taken against the license,  
23 certificate of registration, or permit for the preceding five years may  
24 be granted a license to practice advanced macro social work in this  
25 state if the person meets one of the following criteria:

26 (1) Has received a master's or doctoral degree from a college or  
27 university program of social work accredited by the council of social  
28 work education and has been licensed to practice advanced macro  
29 social work for the preceding five years; or

30 (2) Is currently licensed or certified as a advanced macro social  
31 worker in another state, territory of the United States, or the District  
32 of Columbia having substantially the same requirements as this state  
33 for advanced macro social workers.

34 3. The committee shall issue a license to each person who files

35 **an application and fee as required by the provisions of sections 337.600**  
36 **to 337.689 and who furnishes evidence satisfactory to the committee**  
37 **that the applicant has complied with the provisions of subdivisions (1)**  
38 **to (4) of subsection 1 of this section or with the provisions of subsection**  
39 **2 of this section.**

**337.647. No person shall use the title of "licensed advanced macro**  
2 **social worker" and engage in the practice of advanced macro social**  
3 **work in this state unless the person is licensed as required by the**  
4 **provisions of section 337.646.**

337.653. 1. No person shall use the title of "licensed baccalaureate social  
2 worker" [or "provisional licensed baccalaureate social worker"] and engage in the  
3 practice of baccalaureate social work in this state unless the person is licensed  
4 as required by the provisions of this section.

5 2. A licensed baccalaureate social worker shall be deemed qualified to  
6 practice the following:

7 (1) Engage in assessment and evaluation from a generalist perspective,  
8 excluding the diagnosis and treatment of mental illness and emotional disorders;

9 (2) Conduct basic data gathering of records and social problems of  
10 individuals, groups, families and communities, assess such data, and formulate  
11 and implement a plan to achieve specific goals;

12 (3) Serve as an advocate for clients, families, groups or communities for  
13 the purpose of achieving specific goals;

14 (4) Counsel, excluding psychotherapy; however, counseling shall be  
15 defined as providing support, direction, and guidance to clients by assisting them  
16 in successfully solving complex social problems;

17 (5) Perform crisis intervention, screening and resolution, excluding the  
18 use of psychotherapeutic techniques;

19 (6) Be a community supporter, organizer, planner or administrator for a  
20 social service program;

21 (7) Conduct crisis planning ranging from disaster relief planning for  
22 communities to helping individuals prepare for the death or disability of family  
23 members;

24 (8) Inform and refer clients to other professional services;

25 (9) Perform case management and outreach, including but not limited to  
26 planning, managing, directing or coordinating social services; and

27 (10) Engage in the training and education of social work students from an

28 accredited institution and supervise other licensed baccalaureate social workers.

29           3. **[A] If the licensed baccalaureate social worker has completed**  
30 **three thousand hours of supervised clinical experience with a qualified**  
31 **baccalaureate supervisor in no less than twenty-four months and no**  
32 **more than forty-eight consecutive calendar months, the** licensed  
33 baccalaureate social worker may engage in the independent practice of  
34 baccalaureate social work as defined in subdivision **[(6)] (14)** of section **[337.650]**  
35 **337.600** and subdivisions (1) to (10) of subsection 2 of this section. **Upon**  
36 **demonstrating the successful completion of supervised experience, the**  
37 **state committee shall provide the licensee with a certificate clearly**  
38 **stating the individual's qualification to practice independently. The**  
39 **licensee shall also be permitted to clearly identify his or her**  
40 **qualification to practice independently with the words "independent**  
41 **practice" or "IP" next to their credential.**

          337.665. 1. Each applicant for licensure as a baccalaureate social worker  
2 shall furnish evidence to the committee that:

3           (1) The applicant has a baccalaureate degree in social work from an  
4 accredited social work degree program approved by the council of social work  
5 education;

6           (2) The applicant has achieved a passing score, as defined by the  
7 committee, on an examination approved by the committee. The eligibility  
8 requirements for such examination shall be determined by the state committee  
9 for social work;

10          (3) **[The applicant has completed three thousand hours of supervised**  
11 **baccalaureate experience with a licensed clinical social worker or licensed**  
12 **baccalaureate social worker in no less than twenty-four and no more than**  
13 **forty-eight consecutive calendar months;**

14          **(4)] The applicant is at least eighteen years of age, is of good moral**  
15 **character, is a United States citizen or has status as a legal resident alien, and**  
16 **has not been convicted of a felony during the ten years immediately prior to**  
17 **application for licensure;**

18          **[(5)] (4) The applicant has submitted a written application on forms**  
19 **prescribed by the state board;**

20          **[(6)] (5) The applicant has submitted the required licensing fee, as**  
21 **determined by the division.**

22           2. Any applicant who answers in the affirmative to any question on the

23 application that relates to possible grounds for denial of licensure pursuant to  
24 section [337.680] **337.630** shall submit a sworn affidavit setting forth in detail  
25 the facts which explain such answer and copies of appropriate documents related  
26 to such answer.

27 3. Any person holding a valid unrevoked and unexpired license, certificate  
28 or registration from another state or territory of the United States having  
29 substantially the same requirements as this state for baccalaureate social  
30 workers may be granted a license to engage in the person's occupation in this  
31 state upon application to the committee accompanied by the appropriate fee as  
32 established by the committee pursuant to section 337.662.

33 4. The committee shall issue a license to each person who files an  
34 application and fee as required by the provisions of sections [337.650] **337.600**  
35 to 337.689 and who furnishes evidence satisfactory to the committee that the  
36 applicant has complied with the provisions of subsection 1 of this section or with  
37 the provisions of subsection [2] **3** of this section. [The committee shall issue a  
38 one-time provisional baccalaureate social worker license to any applicant who  
39 meets all requirements of subdivisions (1), (2), (4), (5) and (6) of subsection 1 of  
40 this section, but who has not completed the supervised baccalaureate experience  
41 required by subdivision (3) of subsection 1 of this section, and such applicant may  
42 apply for licensure as a baccalaureate social worker upon completion of the  
43 supervised baccalaureate experience.]

44 **5. The committee shall issue a certificate to practice**  
45 **independently under subsection 3 of section 337.653 to any licensed**  
46 **baccalaureate social worker who has satisfactorily completed three**  
47 **thousand hours of supervised experience with a qualified baccalaureate**  
48 **supervisor in no less than twenty-four months and no more than forty-**  
49 **eight consecutive calendar months.**

337.689. Nothing in sections [337.650] **337.600** to 337.689 shall be  
2 construed to prohibit any person licensed pursuant to the provisions of sections  
3 [337.650] **337.600** to 337.689 from testifying in court hearings concerning matters  
4 of adoption, adult abuse, child abuse, child neglect, or other matters pertaining  
5 to the welfare of children or any dependent person, or from seeking collaboration  
6 or consultation with professional colleagues or administrative supervisors on  
7 behalf of the client.

[337.606. For a period of twenty-four months from July 1,  
2 1990, applicants for licensure shall be exempted from the academic

3 requirements of sections 337.600 to 337.639 if the committee is  
4 satisfied that the applicant has acceptable educational  
5 qualifications, or social work experience, or is currently engaged in  
6 the practice of clinical social work. After that time no person shall  
7 engage in clinical social work practice for compensation or hold  
8 himself or herself out as a licensed clinical social worker unless the  
9 person is licensed in accordance with the provisions of sections  
10 337.600 to 337.639.]

[337.609. No provision of sections 337.600 to 337.639 shall  
2 be construed to require any agency, corporation, or organization,  
3 not otherwise required by law, to employ licensed clinical social  
4 workers.]

[337.624. 1. No part of this section or of chapter 354 or  
2 375, RSMo, shall be construed to mandate benefits or third-party  
3 reimbursement for services of social workers in the policies or  
4 contracts of any insurance company, health services corporation, or  
5 other third-party payer.

6 2. This section shall not be construed to effect procedures  
7 for billing for social work services provided by agencies,  
8 corporations, or organizations which employ licensed social  
9 workers.]

[337.639. Nothing in sections 337.600 to 337.639 shall be  
2 construed to prohibit any person licensed under the provisions of  
3 sections 337.600 to 337.639 from testifying in court hearings  
4 concerning matters of adoption, adult abuse, child abuse, child  
5 neglect, or other matters pertaining to the welfare of children or  
6 any dependent person, or from seeking collaboration or consultation  
7 with professional colleagues or administrative supervisors on  
8 behalf of the client.]

[337.650. As used in sections 337.650 to 337.689, the  
2 following terms mean:

3 (1) "Committee", the state committee for social work  
4 established in section 337.622;

5 (2) "Department", the Missouri department of economic  
6 development;

7 (3) "Director", the director of the division of professional

8 registration in the department of economic development;

9 (4) "Division", the division of professional registration;

10 (5) "Licensed baccalaureate social worker", any person who  
11 offers to render services to individuals, groups, organizations,  
12 institutions, corporations, government agencies or the general  
13 public for a fee, monetary or otherwise, implying that the person is  
14 trained, experienced and licensed as a baccalaureate social worker,  
15 and who holds a current valid license to practice as a baccalaureate  
16 social worker;

17 (6) "Practice of baccalaureate social work", rendering,  
18 offering to render or supervising those who render to individuals,  
19 families, groups, organizations, institutions, corporations or the  
20 general public any service involving the application of methods,  
21 principles, and techniques of baccalaureate social work;

22 (7) "Provisional licensed baccalaureate social worker", any  
23 person who is a graduate of an accredited school of social work and  
24 meets all requirements of a licensed baccalaureate social worker,  
25 other than the supervised baccalaureate social work experience  
26 prescribed by subdivision (3) of subsection 1 of section 337.665, and  
27 who is supervised by a licensed clinical social worker or a licensed  
28 baccalaureate social worker, as defined by rule.]

[337.659. No provision of sections 337.650 to 337.689 shall  
2 be construed to require any agency, corporation or organization, not  
3 otherwise required by law, to employ licensed baccalaureate social  
4 workers.]

[337.668. The term of each license issued pursuant to the  
2 provisions of sections 337.650 to 337.689 shall be no less than  
3 twenty-four and no more than forty-eight consecutive calendar  
4 months. All licensees shall annually complete fifteen hours of  
5 continuing education units. The committee shall renew any  
6 license, other than a provisional license, upon application for a  
7 renewal, submission of documentation of the completion of the  
8 required annual hours of continuing education and payment of the  
9 fee established by the committee pursuant to the provisions of  
10 section 337.662.]

[337.671. The committee may issue temporary permits to

2 practice under extenuating circumstances as determined by the  
3 committee and defined by rule.]

[337.674. No part of this section or of chapter 354 or 375,  
2 RSMo, shall be construed to mandate benefits or third-party  
3 reimbursement for services of social workers in the policies or  
4 contracts of any insurance company, health services corporation, or  
5 other third-party payer.]

[337.677. 1. The committee shall promulgate rules and  
2 regulations pertaining to:

3 (1) The form and content of license applications required by  
4 the provisions of sections 337.650 to 337.689 and the procedures for  
5 filing an application for an initial or renewal license in this state;

6 (2) Fees required by the provisions of sections 337.650 to  
7 337.689;

8 (3) The characteristics of "supervised baccalaureate  
9 experience" as that term is used in section 337.665;

10 (4) The standards and methods to be used in assessing  
11 competency as a licensed baccalaureate social worker, including the  
12 requirement for annual continuing education units;

13 (5) Establishment and promulgation of procedures for  
14 investigating, hearing and determining grievances and violations  
15 occurring pursuant to the provisions of sections 337.650 to 337.689;

16 (6) Development of an appeal procedure for the review of  
17 decisions and rules of administrative agencies existing pursuant to  
18 the constitution or laws of this state;

19 (7) Establishment of a policy and procedure for reciprocity  
20 with other states, including states which do not have baccalaureate  
21 or clinical social worker licensing laws or states whose licensing  
22 laws are not substantially the same as those of this state; and

23 (8) Any other policies or procedures necessary to the  
24 fulfillment of the requirements of sections 337.650 to 337.689.

25 2. Any rule or portion of a rule, as that term is defined in  
26 section 536.010, RSMo, that is created under the authority  
27 delegated in sections 337.650 to 337.689 shall become effective only  
28 if it complies with and is subject to all of the provisions of chapter  
29 536, RSMo, and, if applicable, section 536.028, RSMo. This section

30 and chapter 536, RSMo, are nonseverable and if any of the powers  
31 vested with the general assembly pursuant to chapter 536, RSMo,  
32 to review, to delay the effective date or to disapprove and annul a  
33 rule are subsequently held unconstitutional, then the grant of  
34 rulemaking authority and any rule proposed or adopted after  
35 August 28, 2001, shall be invalid and void.]

2 [337.680. 1. The committee may refuse to issue or renew  
3 any license required by the provisions of sections 337.650 to  
4 337.689 for one or any combination of causes stated in subsection  
5 2 of this section. The committee shall notify the applicant in  
6 writing of the reasons for the refusal and shall advise the applicant  
7 of the applicant's right to file a complaint with the administrative  
8 hearing commission as provided by chapter 621, RSMo.

9 2. The committee may cause a complaint to be filed with  
10 the administrative hearing commission as provided by chapter 621,  
11 RSMo, against any holder of any license required by sections  
12 337.650 to 337.689 or any person who has failed to renew or has  
13 surrendered the person's license for any one or any combination of  
14 the following causes:

15 (1) Use of any controlled substance, as defined in chapter  
16 195, RSMo, or alcoholic beverage to an extent that such use  
17 impairs a person's ability to engage in the occupation of  
18 baccalaureate social work; except that the fact that a person has  
19 undergone treatment for past substance or alcohol abuse and/or has  
20 participated in a recovery program shall not by itself be cause for  
21 refusal to issue or renew a license;

22 (2) The person has been finally adjudicated and found  
23 guilty, or entered a plea of guilty or nolo contendere, in a criminal  
24 prosecution pursuant to the laws of any state or of the United  
25 States, for any offense reasonably related to the qualifications,  
26 functions or duties of a baccalaureate social worker; for any offense  
27 an essential element of which is fraud, dishonesty or an act of  
28 violence; or for any offense involving moral turpitude, whether or  
29 not sentence is imposed;

30 (3) Use of fraud, deception, misrepresentation or bribery in  
securing any license issued pursuant to the provisions of sections

31 337.650 to 337.689 or in obtaining permission to take any  
32 examination given or required pursuant to the provisions of  
33 sections 337.650 to 337.689;

34 (4) Obtaining or attempting to obtain any fee, charge,  
35 tuition or other compensation by fraud, deception or  
36 misrepresentation;

37 (5) Incompetency, misconduct, fraud, misrepresentation or  
38 dishonesty in the performance of the functions or duties of a  
39 baccalaureate social worker;

40 (6) Violation of, or assisting or enabling any person to  
41 violate, any provision of sections 337.650 to 337.689, or of any  
42 lawful rule or regulation adopted pursuant to sections 337.650 to  
43 337.689;

44 (7) Impersonation of any person holding a license or  
45 allowing any person to use the person's license or diploma from any  
46 school;

47 (8) Revocation or suspension of a license or other right to  
48 practice baccalaureate social work granted by another state,  
49 territory, federal agency or country upon grounds for which  
50 revocation or suspension is authorized in this state;

51 (9) Final adjudication as incapacitated by a court of  
52 competent jurisdiction;

53 (10) Assisting or enabling any person to practice or offer to  
54 practice baccalaureate social work who is not licensed and  
55 currently eligible to practice pursuant to the provisions of sections  
56 337.650 to 337.689;

57 (11) Obtaining a license based upon a material mistake of  
58 fact;

59 (12) Failure to display a valid license if so required by  
60 sections 337.650 to 337.689 or any rule promulgated hereunder;

61 (13) Violation of any professional trust or confidence;

62 (14) Use of any advertisement or solicitation which is false,  
63 misleading or deceptive to the general public or persons to whom  
64 the advertisement or solicitation is primarily directed;

65 (15) Being guilty of unethical conduct based on the code of  
66 ethics of the National Association of Social Workers.

67           3. Any person, organization, association or corporation who  
68 reports or provides information to the committee pursuant to the  
69 provisions of sections 337.650 to 337.689 and who does so in good  
70 faith shall not be subject to an action for civil damages as a result  
71 thereof.

72           4. After the filing of such complaint, the proceedings shall  
73 be conducted in accordance with the provisions of chapter 621,  
74 RSMo. Upon a finding by the administrative hearing commission  
75 that the grounds, provided in subsection 2 of this section, for  
76 disciplinary action are met, the committee may censure or place the  
77 person named in the complaint on probation on such terms and  
78 conditions as the committee deems appropriate for a period not to  
79 exceed five years, or may suspend, for a period not to exceed three  
80 years, or revoke the license.]

          [337.683. 1. Violation of any provision of sections 337.650  
2 to 337.689 shall be a class B misdemeanor.

3           2. All fees or other compensation received for services which  
4 are rendered in violation of sections 337.650 to 337.689 shall be  
5 refunded.

6           3. The department on behalf of the committee may sue in  
7 its own name in any court in this state. The department shall  
8 inquire as to any violations of sections 337.650 to 337.689, may  
9 institute actions for penalties herein prescribed, and shall enforce  
10 generally the provisions of sections 337.650 to 337.689.

11           4. Upon application by the committee, the attorney general  
12 may on behalf of the committee request that a court of competent  
13 jurisdiction grant an injunction, restraining order or other order as  
14 may be appropriate to enjoin a person from:

15           (1) Offering to engage or engaging in the performance of  
16 any acts or practices for which a certificate of registration or  
17 authority, permit or license is required upon a showing that such  
18 acts or practices were performed or offered to be performed without  
19 a certificate of registration or authority, permit or license; or

20           (2) Engaging in any practice of business authorized by a  
21 certificate of registration or authority, permit or license issued  
22 pursuant to sections 337.650 to 337.689 upon a showing that the

23 holder presents a substantial probability of serious harm to the  
24 health, safety or welfare of any resident of this state or client or  
25 patient of the licensee.

26 5. Any action brought pursuant to the provisions of this  
27 section shall be commenced either in the county in which such  
28 conduct occurred or in the county in which the defendant resides.

29 6. Any action brought pursuant to this section may be in  
30 addition to or in lieu of any penalty provided by sections 337.650  
31 to 337.689 and may be brought concurrently with other actions to  
32 enforce the provisions of sections 337.650 to 337.689.]

2 [337.686. Persons licensed pursuant to the provisions of  
3 sections 337.650 to 337.689 may not disclose any information  
4 acquired from persons consulting them in their professional  
5 capacity, or be compelled to disclose such information except:

6 (1) With the written consent of the client, or in the case of  
7 the client's death or disability, the client's personal representative  
8 or other person authorized to sue, or the beneficiary of an  
9 insurance policy on the client's life, health or physical condition;

10 (2) When such information pertains to a criminal act;

11 (3) When the person is a child under the age of eighteen  
12 years and the information acquired by the licensee indicated that  
13 the child was the victim of a crime;

14 (4) When the person waives the privilege by bringing  
15 charges against the licensee;

16 (5) When the licensee is called upon to testify in any court  
17 or administrative hearings concerning matters of adoption, adult  
18 abuse, child abuse, child neglect, or other matters pertaining to the  
19 welfare of clients of the licensee; or

20 (6) When the licensee is collaborating or consulting with  
21 professional colleagues or an administrative superior on behalf of  
the client.]

✓